

Article 2B.

Notice of Appointments to Public Offices.

§ 143-47.6. Definitions.

As used in this Article, unless the context clearly requires otherwise:

- (1) "Appointing authority" means the Governor, Chief Justice of the Supreme Court, Lieutenant Governor, Speaker of the House, President pro tempore of the Senate, members of the Council of State, all heads of the executive departments of State government, the Board of Governors of The University of North Carolina, and any other person or group authorized by law to appoint to a public office.
- (2) "Public office" means appointive membership on any State commission, council, committee, board, including occupational licensing boards as defined in G.S. 93B-1, board of trustees, including boards of constituent institutions of The University of North Carolina and boards of community colleges operated pursuant to Chapter 115D of the General Statutes, and any other State agency created by law, where the appointee is entitled to draw subsistence, per diem compensation, or travel allowances, in whole or in part from funds deposited with the State Treasurer or any other funds subject to being audited by the State Auditor, by reason of his service in the public office; provided that "public office" does not include an office for which a regular salary is paid to the holder as an employee of the State or of one of its departments, agencies, or institutions. (1979, c. 477, s. 1; 1987, c. 564, s. 27.)

§ 143-47.7. Notice and record of appointment required.

(a) Within 30 days after acceptance of appointment by a person appointed to public office, the appointing authority shall file written notice of the appointment with the Governor, the Secretary of State, the Legislative Library, the Bipartisan State Board of Elections and Ethics Enforcement, and the State Controller. For the purposes of this section, a copy of the letter from the appointing authority, a copy of the properly executed notice of appointment as set forth in subsection (c) of this section, or a copy of the properly executed Commission of Appointment shall be sufficient to be filed if the copy contains the information required in subsection (b) of this section.

(b) The notice required by this Article shall contain the following information:

- (1) The name and office of the appointing authority;
- (2) The public office to which the appointment is made;
- (3) The name and address of the appointee;
- (4) The county of residence of the appointee;
- (5) The citation to the law or other authority authorizing the appointment;
- (6) The specific statutory qualification for the public office to which the appointment is made, if applicable;
- (7) The name of the person the appointee replaces, if applicable;
- (8) The date the term of the appointment begins; and
- (9) The date the term of the appointment ends.

(c) The following form may be used to comply with the requirements of this section:

"NOTICE OF APPOINTMENT

Notice is given that _____ is hereby appointed to the following public office:

Name

Public Office: _____

Citation to Law or Other Authority Authorizing the Appointment: _____

Specific Statutory Qualification for the Public Office, if Applicable: _____

Address of the Appointee: _____

County of Residence of the Appointee: _____

Date Term of Appointment Begins: _____

Date Term of Appointment Ends: _____

Name of Person the Appointee Replaces, if applicable: _____

Date of Appointment

Signature

Office of Appointing Authority

Distribution:

Governor

Secretary of State

Legislative Library

Bipartisan State Board of Elections and Ethics Enforcement

State Controller" (1979, c. 477, s. 1; 1991, c. 542, s. 8; 2003-374, s. 2; 2009-549, s. 18; 2017-6, s. 3; 2017-212, s. 8.10.)

§ 143-47.8: Repealed by Session Laws 2003-374, s. 3, effective August 31, 2003.

§ 143-47.9. Subsistence, per diem compensation, and travel allowances conditioned on filing of notice.

No person who has been appointed to any public office and has accepted that appointment shall be entitled to receive subsistence, per diem compensation, or travel allowances unless and until compliance is made with the provisions of G.S. 143-47.7. (1979, c. 477, s. 1.)

§§ 143-47.10 through 143-47.14. Reserved for future codification purposes.